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SINGLE BENCH
U-100IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR3988
WRIT PETITION (S) NO. OF 2006PETITIONERP.R. No. 4057/06
Presented by Shri. Anand Das
dated 27/7/06Abdul Latif Sheikh, S/o
Shri Abdul Sattar Sheikh
Aged about 44 years
Sub -Engineer, presently
Posted as Assistant
Engineer, Additional
Charge, Public Health
Engineering, Sub Division
Katghora, District Korba,
(Chhattisgarh)VERSUSRESPONDENTSALC
Epawaswami
27/7/06
clerk
THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)RECEIVED-COPY
27/7/06
CLERK TO A. G. BILASPUR

1. Union of India Through the Director Ministry of Personnel, Public Grievances & Pensions Department of Personnel & Training, 3rd Floor Loknayak Bhawan, Khan Market, New Delhi
2. State of Chhattisgarh
 - (a) Through Secretary Public Health Engineering, DKS Bhawan, Mantralaya Raipur (Chhattisgarh)
 - (b) Through Secretary Department of General Administration & Reorganisation Cell, Mantralaya, D. K. S. Bhawan, Raipur (CG)
3. State of Madhya Pradesh
 - (a) Through Secretary Public Health Engineering, Satpura Bhawan, Bhopal (Madhya Pradesh)
 - (b) Through Secretary Department of General Administration & Reorganisation Cell, Vallabh Bhawan, Bhopal (Madhya Pradesh)

- ✓4. Chairman, The State Reorganisation Cell, Madhya Pradesh, Bhopal
- ✓5. Shri.Vimal Sharma, S/o Not Known, Sub- Engineer /Store-in- Charge, Engineer -in-Chief, Satpura Bhawan, Bhopal, Madhya Pradesh

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND FOR ISSUANCE OF OTHER SUITABLE WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS.

मामला क्रमांक ...wp.No...3288 सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	10.8.2006:- Shri Manindra Shrivastava, Sr. Advocate with Shri Akhilesh Dalpati, Advocate for the petitioner. Shri Bhishma Kinger, Standing Counsel for respondent No.1. Smt. Anju Ahuja, Deputy Govt. Advocate for the respondent No.2 (a) & (b). Heard on admission. The main grievance of the petitioner, who is working as Sub Engineer in the Public Health Engineering Department at Katghora, District Korba, is that at the time of Re-organization of the State of M.P. the petitioner was provisionally allocated to the State of Chhattisgarh where he was already working, and later on, he gave his option for the State of Chhattisgarh. However, he was allocated to the State of M.P.. Under the scheme of Union of India he and respondent No.5 herein namely Shri Vimal Sharma, another Sub Engineer, who was working in the State of M.P. gave their consent for mutual transfer before the final allocation to the effect that respondent No.5 be allocated to the State of M.P. and the petitioner be allocated to the State of Chhattisgarh. However, inadvertently by mistake in place of the petitioner one person namely Shri Abrar Sheikh was allocated to the state of Chhattisgarh and the request of respondent No.5 was also accepted. Further case of the petitioner is that Shri Abrar Sheikh never gave his consent for allocation to the State of Chhattisgarh. Unfortunately, Abrar Sheikh had also expired. Looking to this mistake, the petitioner again made a representation to the State of Chhattisgarh and the State of Chhattisgarh noticing the grievance of the petitioner forwarded the case of the petitioner to the Central Government on 25-4-2006 for allocation of	

P.T.O.

मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	services of the petitioner to the State of Chhattisgarh and that is not being decided and still pending consideration before the Central Government. Shri Bhishma Kinger, learned counsel appearing on behalf of Union of India, submitted that it is correct that the representation and recommendation of the State of Chhattisgarh is pending consideration before the respondents, and the Central Government is very shortly going to decide the same, therefore, he has no objection if any direction is given for the decision of the representation. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.1 is directed to decide the representation and recommendation of the State Government as early as possible but not later than 3 months from today. However, till the representation is decided, the petitioner may be allowed to continue on the present place of posting. Shri Bhishma Kinger to convey the direction of this Court to the respondent No.1. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.3103/2006 and I.A. No.7502/2006 also stand disposed of. Parties are entitled for certified copy of this order today itself.	

Barve

Sd/-
L.C.Bhadoo
Judge

P.T.O.

10.8.06
11.8.06
18.8.06